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Docket No.: 384818510US2  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:

Brodersen et al.

Allowed: January 4, 2006

Application No.: 10/079,499

Confirmation No.: 2737

Filed: February 22, 2002

Art Unit: 2191

For: METHOD AND APPARATUS FOR  
UPGRADING A SOFTWARE  
APPLICATION IN THE PRESENCE OF  
USER MODIFICATIONS

Examiner: T. T. Vo

**COMMENTS ON STATEMENT OF REASONS  
FOR ALLOWANCE UNDER 37 CFR §1.104(E)**

MS Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant has received the Examiner's Statement of Reasons for Allowance with the January 4, 2006 Notices of Allowance and Allowability regarding the above-identified application. Entry of the Statement into the record should not be construed as any agreement with or acquiescence in the reasoning stated by the Examiner. Each of the claims stands on its own merits and is patentable because of the combination it recites and not because of the presence or absence of any one particular element.

The Examiner's Statement was not prepared by Applicant and only contains the Examiner's possible positions in one or more reasons for allowability. Thus, any interpretation with respect to the Examiner's Statement of Reasons for Allowance should not be imputed to the Applicant.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 50-2207, under Order No. 384818510US2 from which the undersigned is authorized to draw.

Dated: March 8, 2006

Respectfully submitted,

By \_\_\_\_\_

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